



PACDL

Pennsylvania Association of
Criminal Defense Lawyers

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May 2, 2018

Jeffrey M. Wasileski, Counsel
Supreme Court of Pennsylvania
Criminal Procedural Rules Committee
601 Commonwealth Avenue, Suite 6200
Harrisburg, PA 17106-2635

Re: Proposed Amendment to Pennsylvania Rule of Criminal Procedure 490

Dear Mr. Wasileski:

The Pennsylvania Association of Criminal Defense Lawyers (“PACDL”) is a professional association of attorneys admitted to practice before the Supreme Court of Pennsylvania and who are actively engaged in providing criminal defense representation. As such, PACDL presents the perspective of experienced criminal defense attorneys who aim to protect and ensure by rule of law those individual rights guaranteed by the Pennsylvania and United States Constitutions, and work to achieve justice and dignity for defendants. PACDL’s membership includes more than 900 private criminal defense practitioners, court appointed counsel and public defenders throughout the Commonwealth.

PACDL supports adoption of the proposed amendment. As noted, the amendment clarifies the “dual-track” nature of expungements and as such avoids a waste of resources that may arise if a citizen is attempting to expunge their juvenile matters or summary convictions. While PACDL agrees with the Committee that requiring two petitions may be burdensome, PACDL recognizes that the current state of the law requires the clarity this amendment provides. Should the burdensome nature of this “dual-track” program wish to be revisited, PACDL would be happy to offer suggestions.

Sincerely,

Bradley A. Winnick
President